IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

FRIDAY, THE 27TH JULY 2007 / 5TH SRAVANA 1929

WP(C).No. 21586 of 2007(T)

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PETITIONER:

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FAZIL BAPPU, S/O. P.BAPPU, AGED 21 YRS,
PUTHIYA VEETTIL NAKOLAKKAL HOUSE, PUNNAYUR
VILLAGE, PUNNAYUR P.O., CHAVAKKADU TALUK,
THRISSUR DISTRICT, PIN-679 562.

BY ADV. DR.V.N.SANKARJEE
SRI.V.N.MADHUSUDANAN

RESPONDENTS:

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1. THE REGISTRAR,
MAHATMA GANDHI UNIVERSITY, KOTTAYAM.

2. THE DIRECTOR,
SCHOOL OF MANAGEMENT AND BUSINESS STUDIES,
P.D.HILLS P.O., ATHIRAMPUZHA, KOTTAYAM-686 560.

3. THE REGISTRAR,
CALICUT UNIVERSITY, THENHIPPALAM, MALAPPURAM.

4. THE CONTROLLER OF EXAMINATIONS,
CALICUT UNIVERSITY, THENHIPPALAM, MALAPPURAM.

5. THE PRINCIPAL,
FAROOK COLLEGE, FAROOK, KOZHIKODE, PIN-673 632.

6. STATE OF KERALA, REPRESENTED BY
THE CHIEF SECRETARY, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM.

R1 BY STANDING COUNSEL SRI.T.A.SHAJI.
R3 & R4 BY STANDING COUNSEL SRI.P.C.SASIDHARAN.
R6 BY GOVT. PLEADER SRI.I.V.PRAMOD.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 27/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**S. SIRI JAGAN, J.**

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**WP(C) NO. 21586 OF 2007 - T**

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**Dated this the 27th day of July, 2007**

**J U D G M E N T**

The petitioner is an applicant for admission to M.B.A.course. He secured 9th rank in the Entrance Examination. The admission to M.B.A.course is to be decided on the basis of the rank obtained by the candidates in the entrance examination. However, candidates have to produce the mark list of the qualifying examination within the stipulated time. The petitioner could not produce the marklist of the qualifying examination, in time, since the fourth respondent-University did not publish the results of the petitioner's qualifying examination, in time. They published the results long after the last date fixed by the first respondent for production of mark list of qualifying examination for admission to M.B.A.course. The contention of the petitioner is that since it was only because of the delay on the part of the fourth respondent in publishing the results of the qualifying examination, he has been denied

admission, in spite of the fact that the petitioner obtained very high rank. The petitioner therefore seeks a direction to the first respondent to grant admission to him to the M.B.A. Course based on the marks in the qualifying examination which he has obtained now. He also seeks compensation from respondents 3 and 4 for the loss sustained by him on account of the delay on the part of the University to publish the results of the qualifying examination.

2. I have heard the learned counsel for the petitioner, the learned Standing Counsel for the M.G.University and the learned Standing Counsel for the Calicut University.

3. I can only sympathise with the petitioner. Each University has their own schedule of examinations and admissions. One University cannot regulate their admission process, in accordance with the schedule of examinations and publication of results of another University and if I direct the first respondent to grant admission to the petitioner notwithstanding the expiry of

the last date fixed, that would be a precedent for admissions to other courses also, particularly, admissions pursuant to the Common Entrance Examination conducted by the Commissioner for Entrance Examinations for admission to professional courses in Kerala.

4. As such, I do not think that exemption can be given in the case of the petitioner. If the petitioner feels that the third and fourth respondents have wronged him, it is up to him to seek remedies elsewhere.

The writ petition is accordingly dismissed.

**S. SIRI JAGAN,**
**Judge**

Mbs/

**S.SIRI JAGAN, J**

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W.P.(C) NO. OF 2001

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J U D G M E N T

DATED:01-06-2007